

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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CLERK B.W.
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ANDREW J. HALL,)
)
 Plaintiff,)
)
 v.) CASE NO. CV410-166
)
 STATE OF GEORGIA (et al) FOR)
 THE EASTERN JUDICIAL CIRCUIT,)
)
 Defendants.)
)

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 6), to which an objection has been filed (Doc. 8). In this objection, Plaintiff appears to raise new arguments and claims, including ineffective assistance of trial counsel. While district courts have the discretion to consider novel evidence and legal argument raised for the first time in an objection to a report and recommendation, they are under no obligation to do so. Williams v. McNeil, 557 F.3d 1287, 1292 (11th Cir. 2009) ("[A] district court has the discretion to decline to consider a party's argument when the argument is not first presented to the magistrate judge.").

After a careful de novo review, the Court concurs with the Magistrate Judge's Report and Recommendation and declines to consider a multitude of new issues at this stage. Plaintiff's other objections are without merit. Accordingly, the Court

ADOPTS the Magistrate Judge's Report and Recommendation (Doc. 6) as its opinion. This case is **DISMISSED WITHOUT PREJUDICE**, and the **Clerk of Court** is **DIRECTED** to close this case.

SO ORDERED this 25th day of October 2010.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA